



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
COOKEVILLE ENVIRONMENTAL FIELD OFFICE**

**DIVISION OF WATER RESOURCES
1221 SOUTH WILLOW AVENUE
COOKEVILLE, TN 38506**

PHONE 931-432-401

STATEWIDE 1-888-891-8332

FAX 931-432-6952

September 23, 2015

Certified Mail # 91 7108 2133 3939 2305 0409

Rodney G. and JoAnn Jurist
12373 Monterey Highway
Monterey, TN 38574

Re: Construction Fill/Dirt Activity
12373 Monterey Highway
No Permit
Putnam County

Dear Mr. and Mrs. Jurist:

Thank you in advance for your attention to a problem at 12373 Monterey Highway. American Sand Company, LLC, has been dumping mine waste soil around this residence and business without providing adequate sediment control measures. Upon investigation, American Sand's manager sent our staff a copy of an invoice to your business for all fill dirt and topsoil needed to complete this ongoing fill/leveling project (Enclosed). When soil fill is purchased, any required permit coverage becomes the owner's responsibility. The project now appears to exceed one acre and is actively eroding.

This fill/construction activity requires permit coverage due to size and sediment loss. Loss of sediment and failure to obtain required permit coverage are violations of the Tennessee Water Quality Control Act. Any such violations may be subject to further enforcement action.

Please reply to this notice in writing within ten days of receipt. If you are not purchasing this fill dirt, please notify us and we will advise American Sand to obtain permit coverage for a mine waste storage site. Otherwise, please send a detailed outline of immediate sediment control measures installed within ten days, and apply for Stormwater Construction General Permit (CGP) coverage (see enclosures) within twenty days of receipt of this letter. If there are questions, please call Sharon Kington at (931) 432-7633. Thank you again for your attention to this concern.

Respectfully,

A handwritten signature in blue ink that reads "Johnny K. Walker".

Johnny K. Walker, Environmental Program Manager
Division of Water Resources, Cookeville Environmental Field Office

CC: K-EFO NPDES File TN0066249; CK-EFO NPDES TN0066249; Mr. Todd T. Claiborne, Owner, American Sand Company, LLC,, 9130 Monterey Highway, Monterey, TN 38574

9130 Monterey
Hwy
Monterey, In.
38574

Date: March 3, 2014
INVOICE # 9989

Dave Jurist
Daves Towing
Monterey Hwy
Monterey Tn 38574

Signed:

American Sand Company 2130 Monterey Hwy. Monterey In 38374

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

Division of Water Resources

William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor, Nashville, TN 37243

1-888-891-8332 (TDEC)

Notice of Intent (NOI) for General NPDES Permit for Stormwater Discharges from Construction Activities (TNR100000)

Site or Project Name:		Existing NPDES Tracking Number: TNR	
Street Address or Location:		Start date:	
		Estimated end date:	
Site Activity Description:		Latitude (dd.ddd):	
		Longitude (dd.ddd):	
County(ies):	MS4 Jurisdiction:	Acres Disturbed:	
		Total Acres:	
Does a topographic map show dotted or solid blue lines <input type="checkbox"/> and/or wetlands <input type="checkbox"/> on or adjacent to the construction site? If wetlands are located on-site and may be impacted, attach wetlands delineation report. If an Aquatic Resource Alteration Permit has been obtained for this site, what is the permit number? ARAP permit No.:			
Receiving waters:			
Attach the SWPPP with the NOI <input type="checkbox"/> SWPPP Attached		Attach a site location map <input type="checkbox"/> Map Attached	
Site Owner/Developer Entity (Primary Permittee): (person, company, or legal entity that has operational or design control over construction plans and specifications):			
Site Owner/Developer Signatory (V.P. level/higher - signs certification below): (individual responsible for site):		Signatory's Title or Position (V.P. level/higher - signs certification below):	
Mailing Address:		City:	State: Zip:
Phone: ()	Fax: ()	E-mail:	
Optional Contact:		Title or Position:	
Mailing Address:		City:	State: Zip:
Phone: ()	Fax: ()	E-mail:	
Owner or Developer Certification (must be signed by president, vice-president or equivalent, or ranking elected official) (Primary Permittee)			
I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.			
Owner or Developer Name; (print or type)		Signature:	Date:
Contractor(s) Certification (must be signed by president, vice-president or equivalent, or ranking elected official) (Secondary Permittee)			
I certify under penalty of law that I have reviewed this document, any attachments, and the SWPPP referenced above. Based on my inquiry of the construction site owner/developer identified above and/or my inquiry of the person directly responsible for assembling this NOI and SWPPP, I believe the information submitted is accurate. I am aware that this NOI, if approved, makes the above-described construction activity subject to NPDES permit number TNR100000, and that certain of my activities on-site are thereby regulated.			
Contractor company name (print or type):			
Contractor signatory (print/type): (V.P. level or higher)		Signature:	Date:
Mailing Address:		City:	State: Zip:
Phone: ()	Fax: ()	E-mail:	
Other Contractor company name (print or type):			
Other Contractor signatory (print/type): (V.P. level or higher)		Signature:	Date:
Mailing Address:		City:	State: Zip:
Phone: ()	Fax: ()	E-mail:	
OFFICIAL STATE USE ONLY			
Received Date:	Reviewer:	Field Office:	Permit Number TNR
Fee(s):	T & E Aquatic Flora and Fauna:	Impaired Receiving Stream:	Exceptional TN Water:
			Notice of Coverage Date:

CGP Fee Per Acres of Project

Project equal to or greater than 150 acres	\$10,000
Project equal to or greater than 50 acres and less than 150 acres	\$6,000
Project equal to or greater than 20 acres and less than 50 acres	\$3,000
Project equal to or greater than 5 acres and less than 20 acres	\$1,000
Project equal to or greater than 1 acres and less than 5 acres	\$250

Seeking subsequent coverage under an actively covered larger common plan of development or sale *

\$100 - See more at: <http://tn.gov/environment/article/permit-npdes-stormwater-construction-permit#sthash.YtJQfxbg.dpuf>

CGP Activities that Exceed One Year Under General Permit Coverage

Project equal to or greater than 150 acres	\$3,750
Project equal to or greater than 50 acres and less than 150 acres	\$2,000
Project equal to or greater than 20 acres and less than 50 acres	\$1,000
Project equal to or greater than 5 acres and less than 20 acres	\$500
Project equal to or greater than 1 acres and less than 5 acres	\$125

Seeking subsequent coverage under an actively covered larger common plan of development or sale

- See more at: <http://tn.gov/environment/article/permit-npdes-stormwater-construction-permit#sthash.YtJQfxbg.dpuf> Activities that Exceed One

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC)**

Division of Water Resources

William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 11th Floor, Nashville, Tennessee 37243

1-888-891-8332 (TDEC)

General NPDES Permit for Stormwater Discharges from Construction Activities (CGP)**Construction Stormwater Inspection Certification (Twice-Weekly Inspections)**

Site or Project Name:		NPDES Tracking Number: TNR	
Primary Permittee Name:		Date of Inspection:	
Current approximate disturbed acreage:	Has rainfall been checked/documentated daily? <input type="checkbox"/> Yes <input type="checkbox"/> No	Name of Inspector:	
Current weather conditions:		Inspector's TNEPSC Certification Number:	

Please check the box if the following items are on-site:

- ☐ Notice of Coverage (NOC) ☐ Stormwater Pollution Prevention Plan (SWPPP) ☐ Twice-weekly inspection documentation
☐ Site contact information ☐ Rain Gage ☐ Off-site Reference Rain Gage Location: _____

Best Management Practices (BMPs):

Are the Erosion Prevention and Sediment Controls (EPSCs) functioning correctly: If "No," describe below in Comment Section			
1.	Are all applicable EPSCs installed and maintained per the SWPPP?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2.	Are EPSCs functioning correctly at all disturbed areas/material storage areas per section 4.1.5?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
3.	Are EPSCs functioning correctly at outfall/discharge points such that there is no objectionable color contrast in the receiving stream, and no other water quality impacts per section 5.3.2?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.	Are EPSCs functioning correctly at ingress/egress points such that there is no evidence of track out?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
5.	If applicable, have discharges from dewatering activities been managed by appropriate controls per section 4.1.4? If "No," describe below the measures to be implemented to address deficiencies.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
6.	If construction activity at any location on-site has temporarily/permanently ceased, was the area stabilized within 14 days per section 3.5.3.2? If "No," describe below each location and measures taken to stabilize the area(s).	<input type="checkbox"/> Yes	<input type="checkbox"/> No
7.	Have pollution prevention measures been installed, implemented, and maintained to minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters per section 4.1.5? If "No," describe below the measures to be implemented to address deficiencies.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8.	If a concrete washout facility is located on site, is it clearly identified on the project and maintained? If "No," describe below the measures to be implemented to address deficiencies.	<input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.	Have all previous deficiencies been addressed? If "No," describe the remaining deficiencies in the Comments section. <input type="checkbox"/> Check if deficiencies/corrective measures have been reported on a previous form.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Comment Section. If the answer is "No" for any of the above, please describe the problem and corrective actions to be taken. Otherwise, describe any pertinent observations:			

Certification and Signature (must be signed by the certified inspector and the permittee per Sections 3.5.8.2 (g) and 7.7.2 of the CGP)

I certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision. The submitted information is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As specified in Tennessee Code Annotated Section 39-16-702(a)(4), this declaration is made under penalty of perjury.

Inspector Name and Title:	Signature:	Date:
Primary Permittee Name and Title:	Signature:	Date:



Notice of Intent (NOI) & Stormwater Pollution Prevention Plan (SWPPP) Checklist for the General Permit for Discharges of Stormwater Associated with Construction Activities (CGP)

Date Received: _____ Staff Review Completion Date: _____ New NPDES Tracking Number: _____ MS4 Jurisdiction: _____

Reviewer: _____ # of Disturbed Acres: _____ Site/Project Name: _____ Fee Collected: Yes ☐ No ☐

Impaired Waters: Yes ☐ No ☐ Exceptional Waters: Yes ☐ No ☐ T & E Species: Yes ☐ No ☐ (Add comments below)

This NOI/SWPPP checklist pertains to the current CGP, and is used during the NOI review process to help determine whether the submittal provides enough information to grant a Notice of Coverage under the permit. This checklist does not specifically address every condition of the permit or preclude the Division from asking for additional information.

NOI Requirements		Yes	No	Start/End Dates listed
Correct site-wide permittee (Owner/Developer) entity name included				
Proper signature for the owner/developer provided				Disturbed acreage given
Receiving waters listed				Latitude/Longitude given and is correct
ARAP Required? <input type="checkbox"/>	ARAP #(s): _____			County(ies) listed
Appropriate portion of USGS topo map provided showing the boundaries of the construction site [2.6.2]				County(ies): _____
SWPPP Requirements		CGP pg #		
Yes	No	N/A		1
			"Common Plan of Development"/Site Concept Plan has been provided [1.2.1]	
			Plans and specs for structural control measures have been prepared and stamped by Professional Engineer or Landscape Architect [3.1.1]	13
			Includes engineering design of sediment basin/controls for projects 10 acres or greater (5 acres if impaired/exceptional waters) [3.1.1]	13, 14
			Includes Quality Assurance Site Assessment requirement criteria if applicable [3.1.2]	14
			Signed by the operator(s) [3.3.1]	15
			Includes multi-phase sheets: <5 ac. – 2-phase plan min.; ≥5 ac. – 3-phase plan min. [3.5.2]	18
			Depicts disturbance limits, buffer zones, watershed drainage patterns/acreage, and proposed contours/slopes [3.5.1.d&g; 4.1.1]	17
			Includes a description of all construction activity (not just grading and street construction) [3.5.1.a]	17
			Includes a description sequence of major activities (e.g., grubbing, excavation, grading, utilities, and infrastructure installation, etc.) [3.5.1.b]	17
			Includes estimates of the total site area versus the total area of the site to be disturbed [3.5.1.c]	17
			Includes a complete inventory of aquatic resources (including any stream, sinkhole or wetland) on or adjacent to the project [3.5.1.i]	17
			Includes a description of appropriate erosion prevention and sediment controls (EPSCs) and the general timing of implementation [3.5.2]	18
			Specifies which permittee is responsible for implementation of which EPSC [3.5.2]	18
			Specifies removal of trapped sediment from sediment controls at or before 50% design capacity [3.5.3.1.e]	19
			Specifies EPSCs will be implemented before earth-moving begins [3.5.3.1.f]	20
			Specifies stabilization within 15 days (7 days for ≥35% slopes) on site areas where construction has temporarily/permanently ceased [3.5.3.2]	21
			Specifies inspections of outfalls/EPSC measures at least twice weekly and at least 72 hours apart [3.5.8.2.a]	24
			Specifies that vegetation, EPSCs & other protective measures are repaired, replaced, or modified within 7 days [3.5.7; 3.5.8.2.f]	23, 24
			Depicts the proposed location of all major structural/nonstructural controls and all proposed stabilization practices [3.5.1.g; 3.5.3.3]	18
			Identifies all outfall locations intended for coverage under the CGP [3.5.1.g]	17
			Includes the name of the receiving water(s), and approximate size and location of affected wetland acreage at the site [3.5.1.j]	17
			Identifies construction phasing for activities that will disturb >50 acres [3.5.1.m & 3.5.3.1.k]	20
			EPSCs have been designed to control the rainfall and runoff from a 2-year, 24-hour return interval storm [3.5.3.3]	21
			Specifies sediment basins for construction sites with drainage areas >10 acres [3.5.3.3]	22
			Specifies a 30' natural riparian buffer zone adjacent to all streams, lakes, wetlands on/adjacent to the construction site [4.1.2]	26